

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

CARLA JEAN BROWNING,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner,
Social Security Administration,

Defendant.

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No. 2:12CV00126-JJV

ORDER

Before the Court is Plaintiff's Application for Attorney's Fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. The Commissioner¹ responded and offered no objection to the fees requested but states costs are not authorized under EAJA. After careful consideration of the Motion and Response, the Court finds:

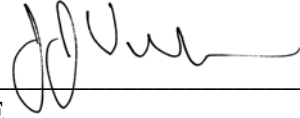
1. The hours spent by counsel were reasonable. Therefore, the Court approves attorney fees in the amount of \$3,050.50 (17.3 attorney hours at \$175.00 + \$23.00 in expenses). Although costs are not reimbursable, the Petition explains the additional \$23.00 was the expense of certified mailing.

2. The award of EAJA fees shall be paid directly to Plaintiff's counsel subject to any offset to satisfy any pre-existing debt owed to the United States. *Astrue v. Ratliff*, 560 U.S. ----, 130 S.Ct. 2521, 2527, 2010 WL 2346547 (2010).

3. Defendant shall certify said award and pay Plaintiff's attorney this amount.

¹Carolyn W. Colvin was sworn in as Acting Commissioner of the Social Security Administration on February 14, 2013, replacing Michael Astrue. She has therefore been substituted as the defendant in this case pursuant to Fed.R.Civ.P. 25(d)(1).

IT IS SO ORDERED this 31st day of July, 2013.

A handwritten signature in black ink, appearing to read 'Joe J. Volpe', is written over a horizontal line.

JOE J. VOLPE
UNITED STATES MAGISTRATE JUDGE